

REMARKS

This is in full and timely response to the Final Office Action mailed on February 13, 2004. Reexamination in light of the amendments and the following remarks is respectfully requested.

Claims 37-58 are currently pending in this application, with claims 37, 38, 47, 49, 50 and 51 being independent. Claims 37-48 and 49-50 have been withdrawn from consideration by the Examiner. No new matter has been added.

Election/restriction

Applicant, seeking review of the prematureness of the final rejection within the Final Office action, respectfully requests reconsideration of the finality of the Office action for the reasons set forth hereinbelow. See M.P.E.P. §706.07(c).

The Office Action contends that because newly presented claims 49 and 50 are directed a flat cathode ray tube apparatus having a substrate with a transfer foil, and further contends that in this case, the flat cathode ray tube can be made by an apparatus that does not comprise a transfer foil.

In response to this restriction, please note that claim 29 is drawn to a flat cathode-ray tube having a grid layer, a reflective layer, and a fluorescent layer by transfer from *a transfer foil* laminated and formed at the inner side of a panel, and claim 30 is drawn to a flat cathode-ray tube having a grid layer, a reflective layer, and a fluorescent layer by transfer from *a transfer foil* laminated and formed at the inner side of a panel, wherein said reflective layer is formed at the outer side of the circumference of said fluorescent layer.

Because *a transfer foil* is found within claims 29 and 30 and the claims dependent thereon and within claims 49 and 50, restriction of claims 49 and 50 is improper. Accordingly, an examination of claims 49 and 50 on the merits is respectfully requested.

Entry of amendment

This amendment *prima facie* places the case in condition for allowance. Alternatively, it places this case in better condition for appeal. Accordingly, entry of this amendment is respectfully requested.

Rejection under 35 U.S.C. §102

Claims 29-36 were rejected under 35 U.S.C. §102 as allegedly being anticipated by Japanese Publication No. 11-969948 to Kato Hiroshi et al. (Kato).

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, claims 29-36 have been canceled without prejudice or disclaimer, rendering the rejection moot as to claims 29-36.

Withdrawal of this rejection is respectfully requested.

Newly added claims

The newly added claims include a transfer foil having a fluorescent layer and a reflective layer, wherein the reflective layer is between the fluorescent layer and a screen panel, and wherein the total surface area of the reflective layer is smaller than the total surface area of the fluorescent layer.

Allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable


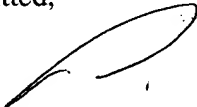
reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753 or the undersigned attorney at the below-listed number.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: March 25, 2004

Respectfully submitted,

By  

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